

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PAUL KUHNE, )  
                        )  
Plaintiff,         )  
v.                     )         No. 07-cv-1364(HB)(RLE)  
                        )  
COHEN & SLAMOWITZ, LLP, and         )  
MIDLAND FUNDING NCC-2 CORP.,         )  
                        )         JURY DEMANDED  
Defendants.         )

**Notice of Motion for Summary Judgment**

PLEASE TAKE NOTICE that upon the accompanying Declarations of Brian L. Bromberg and Paul Kuhne, the exhibits annexed thereto, Plaintiff's Statement of Undisputed Material Facts, and the accompanying Memorandum of Law, all dated January 7, 2008, and upon all of the pleadings and papers on file in this action, Plaintiff Paul Kuhne will move this Court, before the Honorable Harold Baer, U.S.D.J., in Courtroom 2230, of the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York 10007, for an Order: (a) under Federal Rule of Civil Procedure 56 granting Plaintiff's Motion for Summary Judgment because the "pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law"; and (b) granting such other and further relief as the Court deems necessary and proper.

Any opposing affidavits and answering memoranda shall be served by January 18, 2008, with Replies thereto served by January 23, 2008.

Yours, etc.,

/s/ Brian L. Bromberg  
Brian L. Bromberg  
One of Plaintiff's Attorneys

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